

REMARKS

Applicant respectfully requests reconsideration of the claim rejections set forth in the Office communication dated December 20, 2006.

Summary

Claims 1 – 6 are currently pending.

Claim Rejections – 35 U.S.C. § 112, second paragraph

Claims 1 – 6 were rejected pursuant to 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites, *inter alia*, a deviation between the direction of the destination position as seen from the reference point in the display unit and the direction of manipulation of the manipulation unit.

The Examiner suggests that "claim 1 should be amended to recite 'a deviation between the direction of the destination position as seen from the reference point in the display unit in the direction of manipulation of the manipulation unit' to be consistent with applicant's specification" (Office action dated December 20, 2006; page 6). Applicant does not understand as this language is currently recited in claim 1. Applicant requests further explanation of the suggestion.

The Examiner stated angle deviation "is NOT supported by applicant's specification" (Office action dated December 20, 2006; page 6, lines 14 - 15). Applicant respectfully disagrees. In regards to claim 1, the Examiner stated "[t]he deviation as claimed could mean the angle deviation" (Office action dated December 20, 2006; page 6, lines 14 - 15). The deviation as claimed (see above) is almost identical to what is stated in the specification. For example, the specification recites "(2) Calculation of the deviation between the direction of the destination position B as seen from the reference point A and the direction of manipulation of the manipulation unit 22" (Orig. Spec.;

page 15, lines 20 – 23). This paragraph is almost identical to the claimed subject matter. Therefore, under the Examiner's interpretation of claim 1, the specification "could mean the angle deviation" in the same way that claim 1 "could mean the angle deviation."

The Examiner has repeatedly stated the term "angle deviation" is "NOT supported by applicant's specification" (Office action dated December 20, 2006; page 6, lines 14 - 15). "The mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessarily, that the term or phrase is indefinite" [MPEP 2173.05(e); section titled "A Claim Term which has No Antecedent Basis in the Disclosure is Not Necessarily Indefinite"]. The claimed subject matter properly defines an angle deviation and the specification teaches the angle deviation. For example, "[t]he mechanism unit 21, as shown in Figs. 2 and 3, comprises the rocking lever 21a, a case 31, and a lever holding shaft 32 and a swing arm 33 held rotatably in the case 31" (Orig. Spec.; page 11, lines 17 – 19). "Accordingly, the rocking lever 21a can be rocked in any direction centered on the lever holding shaft 32 and the rocking central shaft 21b" (Orig. Spec.; page 12, lines 12 – 13). "A manipulation unit 22 [is] provided at the front end portion of the rocking lever 21a" (Orig. Spec.; page 11, lines 9 – 10). Accordingly, the manipulation unit 22 can be rocked in any direction.

In regards to one example of the operation, the calculation unit 42 calculates the direction (see Fig. 7) of the destination position B as seen from the reference point A (Orig. Spec.; page 15, line 17). The manipulation unit 22 is rocked in any direction. If the manipulation unit 22 is rocked in the direction of the destination position B, then the calculation unit 42 would calculate a deviation of 0 degrees, which would indicate, as show in Figure 5A, a low actuator driving signal. Alternatively, if the manipulation unit 22 is rocked in a different direction (i.e. manipulation direction), the calculation unit 42 calculates the angle deviation between that direction and the destination position B. There is nothing in the specification that indicates that the direction of the manipulation unit 22 has to be the direction of the destination position unit 22. In fact, as pointed out

above, the manipulation unit 22 can be rocked in any direction, even if it is not the same direction as the destination position B.

The Examiner stated "only distance deviation is disclosed in the specification" (Office action dated December 20, 2006; page 2, line 23 – 24). The deviation between the direction of the destination position as seen from the reference point in the display unit and the direction of manipulation of the manipulation unit cannot be interpreted as a distance deviation. Applicant respectfully requests that the Examiner explain how he reached the conclusion that "distance deviation is disclosed in the specification" (Office action dated December 20, 2006; page 2, line 23 – 24). Distance deviation, as explained by the Examiner, between two directions cannot exist. For example, if two directions are perpendicular to each other, what is the distance deviation between the two directions? Alternatively, the angle deviation is easily calculated. The angle deviation between two perpendicular directions may be 90 degrees. One skilled in the art would understand that the deviation as recited in the claims, figures, and specification suggest an angle deviation between two directions.

Applicant believes that the caption of FIG. 5A is confusing the Examiner. For example, the Examiner stated: "The claim limitation of "a deviation" is interpreted in light of applicant's specification as the amount of deviation in the direction of manipulation (See applicant's Fig. 5A) or in terms of the distance to the destination position (See applicant's Fig. 5B)" Therefore, in order to expedite prosecution of the application, Applicant is amending FIG. 5A to recite a caption that more clearly described the claimed subject matter and the specification as originally filed. FIG 5A is being amended to recite: "AMOUNT OF DEVIATION BETWEEN THE DIRECTION OF THE DESTINATION POSITION AND DIRECTION OF MANIPULATION OF THE MANIPULATION UNIT"

Based on the discussion above and claimed subject matter, the claim limitation of "a deviation" should be interpreted by the Examiner as an angle deviation of between two directions.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 1 – 3 were rejected pursuant to 35 U.S.C. § 102(b) as being anticipated by Rosenberg (U.S. Patent No. 5,825,308).

Claim 1 recites, *inter alia*, a deviation between the direction of the destination position as seen from the reference point in the display unit and the direction of manipulation of the manipulation unit.

Rosenberg fails to suggest a deviation between the direction of the destination position as seen from the reference point in the display unit and the direction of manipulation of the manipulation unit. In fact, Rosenberg teaches a completely different arrangement. Rosenberg does not teach a control unit that calculates a deviation between the direction of the destination position as seen from the reference point in the display unit and the direction of manipulation of the manipulation unit. In fact, Rosenberg actually teaches a contrary arrangement that calculates only deviations from a particular local origin (col. 43, lines 65-66). Rosenberg fails to teach or suggest calculating the deviation between the direction of the destination position and the direction of manipulation of the manipulation unit. In contrast, Rosenberg discloses a deviation of distance. Rosenberg never discloses deviation of an angle. Rosenberg discloses using a single direction to determine the displacement direction “e.g. if the displacement is in the left direction, then the view is panned to the left.” (col. 43, line 32). Thus, the arrangement of claim 1 is distinguishable from Rosenberg because Rosenberg discloses a deviation of distance and not a deviation of angle. Thus, claim 1 is allowable over the cited art for at least these reasons.

Dependent claims 2 – 3 depend from allowable Claim 1, so are allowable for at least this reason.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 4 – 6 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Rosenberg in view of Watanabe et al. (U.S. Patent No. 6,285,347).

Dependent claims 4 – 6 depend from allowable claim 1, so are allowable for at least this reason.

CONCLUSION

For at least the reasons presented above, the Applicant respectfully submits that the pending claims are in condition for allowance.

The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

/Gustavo Siller, Jr./
Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200